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ON 30 MAY 2001

Audrey Boyd

May 30, 2001

DATE

Attorney Docket No.: B45145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bakaletz, et al. May 30, 2001
Serial No.: 09/719,379
Filed: December 11, 2000
For: "Vaccine"

Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

Sir:

This letter is in response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed on April 10, 2001 which indicated that the signatures of the inventors on the Declaration for the subject patent application are missing. A copy of "The Notice to File Missing Parts of Application - Filing Date Granted" is enclosed.

Enclosed please find a Declaration and Power of Attorney for the subject patent application which has been fully executed by the inventors of the subject patent application in compliance with 37 C.F.R. 1.63.

In addition, Applicants submitted a Communication to the U.S. Patent and Trademark Office on April 30, 2001, addressing Sequence Listing issues.

Please charge the \$130.00 surcharge for late filing of the fully executed declaration to Deposit Account No. 19-2570. Please charge any additional requisite fees for filing the enclosed Declaration and Power of Attorney or credit any over-payment to Deposit Account No. 19-2570. A copy of this form is enclosed.

Respectfully submitted,

Zoltan Kerekes
Zoltan Kerekes
Attorney for Applicants
Registration No. 38,938

06/07/2001 UEDUVIJE 00000140 09719379

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GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5024 Fax (610) 270-5090
Response to Notice to File Missing Parts.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

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SMITHKLINE BEECHAMCommissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/719379		BAKALETZ	2001 APR 13 A 11:01 B45145
SMITHKLINE BEECHAM CORPORATION P O BOX 1539 KING OF PRUSSIA, PA 19406 0939		INTERNATIONAL APPLICATION NO. PCT/US99/11980	
		I.A. FILING DATE 28 MAY 99	PRIORITY DATE 11 JUN 98

DATE MAILED: 10 APR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494) an Elected Office (37 CFR 1.495):

U.S. Basic National Fee. Indication of Small Entity Status.
 Copy of the international application. Translation of the international application into English.
 Oath or Declaration of inventors(s). Translation of Article 19 amendments into English.
 Copy of Article 19 amendments. Other:
 Priority Document.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surecharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917
 PTO-875

Notice of Defective Translation
 PCT/DO/EO/920

Barbara A. Campbell

Telephone: 703-305-3631